

# February 2006

## Update: Juvenile Justice Benchbook (Revised Edition)

### CHAPTER 10

#### Juvenile Dispositions

##### 10.13 Restitution

###### **P. Payment of Restitution When Juvenile Is Placed in a Juvenile Facility or Sentenced to Jail or the Department of Corrections**

At the end of the January 2006 update to page 249, add the following:

Effective January 1, 2006, 2005 PA 316 added MCL 769.1k, which allows a court to impose and collect fines, costs, assessments, and fees. Also effective January 1, 2006, 2005 PA 325 added MCL 769.1l, which requires the Department of Corrections to deduct money from a prisoner's account to pay such fines, costs, assessments, and fees in the same manner as money is deducted to pay restitution. However, orders of restitution pursuant to MCL 791.220h or the crime victim's rights act are to receive priority over the orders described in MCL 769.1l. MCL 769.1l.

## CHAPTER 10

### Juvenile Dispositions

#### 10.14 Crime Victim's Rights Fund Assessment

##### A. Assessments of Convicted and Adjudicated Offenders

Effective January 1, 2006, 2005 PA 315 amended MCL 780.905(1). On page 254, replace the first sentence with the following:

The court must order a “crime victim’s rights fund assessment” against “each person charged with an offense that is a felony, a serious misdemeanor, or a specified misdemeanor, that is resolved by conviction, by assignment of the defendant to youthful trainee status, by a delayed sentence or deferred entry of judgment of guilt, or in another way that is not an acquittal or unconditional dismissal” as follows:

## CHAPTER 11

### Paying the Costs of Juvenile Proceedings

#### 11.7 Orders for Reimbursement of Attorney Fees

Effective January 1, 2006, 2005 PA 316 added MCL 769.1k. After the first sentence of the partial paragraph at the bottom of page 277, insert the following sentence:

MCL 769.1k(1)(b)(iii) allows a court to impose upon a criminal defendant “[t]he expenses of providing legal assistance to the defendant.”

## CHAPTER 25

### Recordkeeping & Reporting Requirements

#### 25.18 Recordkeeping Requirements of the Sex Offenders Registration Act

##### A. Who Must Register?

###### “Listed Offense.”

Effective February 1, 2006, 2005 PA 301 amended MCL 28.722, expanding the definition of “listed offenses.” Near the top of page 522, add the following bullet after the existing fourth bullet:

- indecent exposure, MCL 750.335a(2)(b), if the individual was previously convicted of violating MCL 750.335a.

## CHAPTER 25

### Recordkeeping & Reporting Requirements

#### 25.18 Recordkeeping Requirements of the Sex Offenders Registration Act

##### F. Yearly or Quarterly Verification of Domicile or Residence

###### **Yearly verification (“misdemeanor listed offenses”).**

Effective January 1, 2006, 2005 PA 322 redefined “misdemeanor listed offenses.” Beginning near the top of page 532 and continuing to the end of that page, replace the text and bullets with the following sentence:

Under MCL 28.725a(4)(a), misdemeanor is defined as that term is defined in MCL 761.1.

###### **Quarterly verification (“felony listed offenses”).**

Effective January 1, 2006, 2005 PA 322 also redefined “felony listed offenses.” Beginning near the middle of page 533 and continuing to the top of page 534, replace the text and bullets with the following:

Under MCL 28.725a(4)(b), felony is defined as that term is defined in MCL 761.1.